



Sixth Committee:

Diplomatic Protection

15 October 2019

Statement by Denmark, Finland, Iceland, Norway and Sweden

Delivered by Ambassador Mona Juul, Permanent Representative of
Norway to the United Nations

M(r/s) Chair,

I have the honour to take the floor on behalf of the Nordic countries, Denmark, Finland, Iceland Sweden and my own country, Norway.

The Nordic countries once again commend the International Law Commission and the Special Rapporteur Mr John Dugard for the work that led to the adoption by the ILC in 2006 of the draft articles on diplomatic protection. We would also like to thank the Secretary General for his newest report on diplomatic protection, dated 11 July this year (A/74/143).

The Nordic countries have on various occasions expressed our view on the substance of the articles elaborated by the Commission. I would like to reiterate that the articles are generally satisfactory to the Nordic countries. In our view, the articles make an important contribution to general international law in the field of diplomatic protection.

The Nordic countries have previously conveyed that we believe that the General Assembly should follow the recommendation of the International Law Commission and elaborate a convention on the basis of the articles. A convention on diplomatic protection would enhance legal clarity and predictability in this important field of law.

However, we note that there are diverging views between Member States on the articles, including the question of whether they should be converted into a convention. This divergence of opinion has materialized both in the written comments by States, as well as in the debates before the Committee. We have also taken due note of the diverging views expressed by States in the Secretary General's most recent report (A/74/143).

Bearing in mind the current situation, we are concerned that attempts to negotiate a convention at this point in time might risk opening up a debate that may undermine the already substantial contributions of the articles to general international law. However, this does not preclude the elaboration of the articles into a convention at later point in time.

Against this background, we recommend that the General Assembly commends once again the articles to the attention of Governments and decides to revisit the question of a convention on diplomatic protection, or any other appropriate action, on the basis of the articles at a later session. We continue to urge States to utilize the articles as a source of inspiration and guidance as they exercise their right to diplomatic protection.

Thank you.